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October 1, 2013

**VIA EMAIL**

Hon. Katherine P. Failla  
United States District Court  
40 Foley Square, Room 2103  
New York, New York 10007  
Failla\_NYSDChambers@nysd.uscourts.gov

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Re: Ragone v. Aetna Life Insurance Company  
13 CV 4604 (KPF)

Dear Judge Failla:

We are counsel to plaintiff in the above-referenced action. This joint letter is submitted in response to your request for the parties to submit a letter stating whether they intend to brief the appropriate standard of review.

Before we can determine whether to brief the standard of review issue, plaintiff needs to review Aetna's complete group policy, which has not been received to date. Counsel for defendant has requested the complete group policy from Aetna and this request remains pending. As soon as counsel for plaintiff receives and reviews Aetna's complete group policy, we will submit a joint letter stating whether the parties intend to submit briefs regarding the appropriate standard of review in the instant action.

Thank you for your consideration of this matter.

Respectfully yours,

A handwritten signature in black ink, appearing to be "SR" with a stylized flourish, written over the typed name Scott M. Riemer.

Scott M. Riemer

cc. Michael Bernstein, Esq.